

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 10-20123  
HON. VICTORIA A. ROBERTS

vs.

D-8 KRISTOPHER SICKLES,

Defendant.

\_\_\_\_\_ /

STIPULATED ORDER OF CONDITIONS OF RELEASE

IT IS HEREBY STIPULATED AND AGREED by and between the United States of America and the defendant, through his counsel, as follows:

1. Title 18, United States Code, Section 3142(c) allows for release on conditions, if the Court determines that the conditions imposed are the least restrictive ones necessary to reasonably assure the appearance of the person as required and the safety of the community.
2. The parties agree that the following conditions will reasonably assure the appearance of the defendant as required and the safety of the community and are the least restrictive conditions reasonably available:
  - a. The defendant shall be subject to home incarceration with electronic monitoring via active GPS.
    - (1) Home incarceration is defined to be 24-hour-a-day restriction to one's assigned residence, except for medical necessities, religious services, court appearances, attorney visits, or other activities, including employment,

specifically agreed to between the parties, and reasonable travel time to and from such activities.

- (2) Authorization for any such activities requires the preapproval of the Pretrial Services Office or supervising officer, and may only be granted if the defendant provides the specific times, locations, and purposes of such activities. Notification and approval for recurring activities, such as location and hours of employment, is acceptable.
- (3) The defendant's authorized travel is restricted to the Eastern District of Michigan and the Northern District of Ohio.

b. The defendant—

- (1) cannot apply for a license to carry or purchase a firearm;
- (2) cannot drink any beverage containing alcohol;
- (3) cannot use any controlled substance without a physician's prescription;
- (4) is subject to drug testing and/or treatment;
- (5) will report to the Pretrial Services on a weekly basis;
- (6) will provide phone records to Pretrial Services as directed;
- (7) will submit to random visits by Pretrial Services;
- (8) will seek and maintain employment;
- (9) cannot possess, borrow, or be near firearms, ammunition, explosives, destructive devices, or other dangerous weapons;
- (10) cannot have contact with any co-defendant, without counsel present;
- (11) cannot have contact with any witness, without counsel present;

- (12) cannot associate with, have contact with, or communicate with any convicted felon;
  - (13) cannot associate with, have contact with, or communicate with any militia or paramilitary group and/or person associated with any militia or paramilitary group, including the Hutaree, without counsel present;
  - (14) cannot participate in militia or paramilitary activities;
  - (15) cannot apply for a passport;
  - (16) cannot use a police scanner; and
  - (17) cannot associate with, have contact with, or communicate with law enforcement or other government officials, except for official law enforcement or government business or if such contact or communication is initiated by law enforcement or government officials, without counsel present.
- c. The defendant will live with his wife, Kelly Sickles, who will serve as his third-party custodian. The third-party custodian will execute a standard agreement to act as third-party custodian. Kelly Sickles, and any other occupant of the residence, will surrender all firearms and other dangerous weapons to Pretrial Services, and will not acquire or possess any additional firearm or dangerous weapon so long as she serves as third-party custodian. Pretrial Services will provide an inventory, including model and serial number, of each firearm so surrendered to the United States Attorney's office.

- d. To facilitate compliance with this order, the United States will provide Pretrial Services and defendant a list of known and suspected Hutaree members and associates and a tentative list of potential witnesses.
3. The parties understand and agree that the Court may require any additional conditions of release it deems necessary to reasonably assure the appearance of the defendant as required and the safety of the community.

SO STIPULATED:

s/Henry Scharg  
HENRY SCHARG  
Attorney for Kristopher Sickles

s/Joseph L. Falvey, Jr.  
JOSEPH L. FALVEY, JR.  
Assistant U.S. Attorney

s/Ronald W. Waterstreet  
RONALD W. WATERSTREET  
Assistant U.S. Attorney

IT IS SO ORDERED.

S/Victoria A. Roberts  
Victoria A. Roberts  
United States District Judge

Dated: May 19, 2010

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on May 19, 2010.

s/Carol A. Pinegar  
Deputy Clerk